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6 Attorneys for Defendants  
 7 CUSTOM FLOORS, INC., FRANK KOPCHA  
 AND CONTRACTORS BONDING & INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT  
 9 DISTRICT OF NEVADA

11 EMPLOYEE PAINTERS' TRUST HEALTH &  
 12 WELFARE FUND, by and through its designated  
 fiduciary, Todd Koch,

13 Plaintiff,

14 vs.

15 CUSTOM FLOORS, INC., a Nevada Corporation;  
 16 FRANK KOPCHA, an individual; CONTRACTORS  
 17 BONDING & INSURANCE COMPANY; JOHN  
 DOES I-XX, inclusive; and ROE ENTITIES I-XX,  
 inclusive,

18 Defendant.

CASE NO. 2:10-cv-01215- KJD-RJJ

STIPULATION AND [PROPOSED]  
 ORDER FOR VOLUNTARY  
 DISMISSAL OF DEFENDANTS  
 CUSTOM FLOORS, INC. AND  
 FRANK KOPCHA WITH  
 PREJUDICE

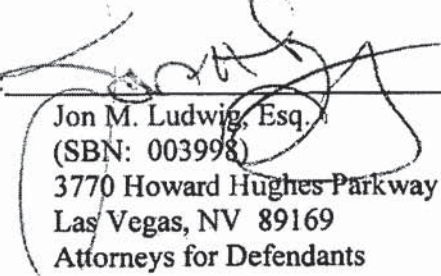
20 The Plaintiff, EMPLOYEE PAINTERS' TRUST HEALTH & WELFARE FUND  
 21 ("Plaintiff" or "Fund"), by and through its designated fiduciary, Todd Koch, and by and through  
 22 its attorneys, Christensen James & Martin, and Defendants CUSTOM FLOORS, INC. and  
 23 FRANK KOPCHA (collectively "Defendants" or "Custom Defendants") (Fund and Custom  
 24 Defendants collectively referred to as "Parties"), by and through its Counsel Gordon & Rees  
 25 LLP, and pursuant to F.R.C.P. 41(a)(1)(ii), do hereby stipulate and agree to dismissal of all  
 26 claims and causes of action asserted in *Complaint for Breach of Contract* [Doc. 1] against the  
 27 Custom Defendants in the above-entitled case with prejudice. The Trust Fund reserves its right  
 28 to assert any potential claims against the Defendants discovered by audit for any past, present or

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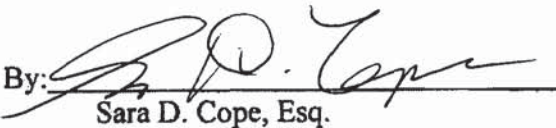
1 future claim period.

2 IT IS SO STIPULATED.

3  
4 Dated this 13<sup>th</sup> day of September, 2011  
5 GORDON & REES LLP

6 By:   
7 Jon M. Ludwig, Esq.  
8 (SBN: 003998)  
9 3770 Howard Hughes Parkway  
10 Las Vegas, NV 89169  
11 Attorneys for Defendants

Dated this 21 day of September, 2011  
CHRISTENSEN JAMES & MARTIN

By:   
Sara D. Cope, Esq.  
(SBN: 10329)  
7400 W. Sahara Avenue  
Las Vegas, NV 89117  
Attorneys for Plaintiff

12 IT IS SO ORDERED.

13 Dated this 30<sup>th</sup> day of ~~September~~ November, 2011.



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16 DISTRICT COURT JUDGE  
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